

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO. 13 OF 2006

IN

WRIT PETITION NO. 2002 OF 1988

Smt. Vandana widow of

late Dattaram Dadu Bhogale

..Petitioner

v/s.

Shri Babaji Sahadev Kesarkar & Anr.

..Respondents

Shri A.M. Ranpise for Petitioner.

R.A. Thorat i/b

P.J. Thorat for Respondent No. 1.

P.G. Sawant, AGP for Respondent No. 2.

CORAM : S. K. SHAH, J.

DATE : 28<sup>th</sup> April, 2006.

**P.C.**

The order of which the contempt is alleged is clause (1) of the Minutes of the Order in respect of which order dated 2<sup>nd</sup> August 1998 was passed. Clause 1 speaks of temporary alternate accommodation on getting of which the Petitioner and the Respondent were to stay together as per the undertaking given by the Respondent who was the petitioner in the writ petition. Learned counsel for the Respondent states that he has not obtained the possession of the

temporary accommodation but he is ready to have the permanent accommodation. The grievance of the petitioner is that she is not allowed to occupy the permanent accommodation. Therefore he cannot take care of her. The matter has been complied in terms of the undertaking given. The contempt petition therefore does not lie. It is therefore dismissed.

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(S. K. SHAH, J)